

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

7/18/01
19
FILED
SCRANTON

JUL 16 2001

JAMES R. PRINCE,
Petitioner,

-v-

KENNETH D. KYLER, et al.,
Respondents.

CIVIL ACTION

NO. 1:CV-00-1181

(Judge Kane)

(Magistrate Judge Blewitt)

PER

dm
DEPUTY CLERK

**MOTION TO EXTEND TIME TO FILE OBJECTIONS
TO MAGISTRATE'S REPORT AND RECOMMENDATION**

The **pro se** Petitioner, James R. Prince, respectfully asks this Court for an additional twenty (20) days, or until on or before Monday, August 6, 2001, to file objections to this Court's July 6, 2001 Report and Recommendation, based on the following:

1. On Monday, July 9, 2001, the Petitioner received a copy of Magistrate Judge Blewitt's Report and Recommendation (R&R) dated July 6, 2001 via U.S. first class postage.

2. Pursuant to Local Rule 72.3, the Petitioner may file objections thereto, within ten (10) days after being served with a copy of the R&R.

3. Petitioner requires the assistance of legal reference aides and access to the Institutions Law Library to research, draft, and copy objections to the R&R for filing.

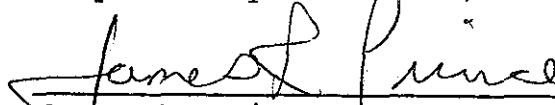
4. Effective July 6, 2001, the Librarian at SCI-Huntingdon, Naomi K. Detwiler, retired, resulting in a reduced level of access to the Law Library while her position remains vacant.

5. Access to the Law Library is governed by a sign-up procedure which must be submitted one week in advance of requested time periods, and will not provide time for the Petitioner to obtain any access to the Library, before the ten (10) day period for filing objections expires.

6. Verification of the foregoing allegations may be obtained by contacting the Director of Education, SCI-Huntingdon, Steven G. Polte, at (814)643-2400; or the Assistant Librarian, SCI-Huntingdon, Michelle Coiner, at (814)643-2400, ext. 267.

7. Petitioner believes twenty (20) days, in addition to the ten (10) days provided by Rule 72.3, or until on or before Monday, August 6, 2001, will be reasonably sufficient to file objections to the July 6, 2001, R&R, and that this Court will not be unduly burdened by this brief delay, nor will the respondents be prejudiced thereby.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "James R. Prince", is written over a horizontal line.

James R. Prince
#BD-1801
SCI-Huntingdon
1100 Pike Street
Huntingdon, PA 16654-1112

VERIFIED STATEMENT

Under the penalties provided for within 28 U.S.C. §1746, I verify that the foregoing statements of fact are true and correct to the best of my personal knowledge, information and belief.

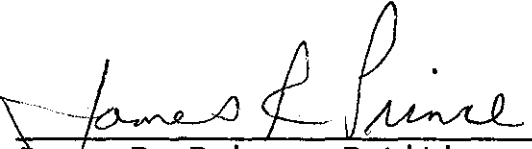

James R. Prince, Petitioner

CERTIFICATE OF SERVICE

Under the penalties provided for within 28 U.S.C. §1746, I certify I have served a copy of the foregoing document(s), by delivering same to prison officials at SCI-Huntingdon on this 12th day of July, 2001, via U.S. first class prepaid postage, and addressed to the following person(s):

Office of the Clerk (ORIGINAL & THREE COPIES)
U.S. District Court (M.D.Pa.)
235 N. Washington Avenue
P.O. Box 1148
Scranton, PA 18501

Office of the District Attorney (For Respondents)
Lycoming County Courthouse
48 W. Third Street
Williamsport, PA 17701


James R. Prince, Petitioner
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:
: (Judge Kane)
:
: (Magistrate Judge Blewitt)

ORDER

AND NOW, this _____ day of _____, 2001, upon consideration of Petitioner's Motion to Extend Time to File Objections to Magistrate's Report and Recommendation, it is hereby ORDERED and DECREED that said motion is GRANTED.

IT IS FURTHER ORDERED, that Petitioner shall file his objections on or before Monday, August 6, 2001.

BY THE COURT:

THOMAS M. BLEWITT
United States Magistrate Judge